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Date: August 15, 2005

Client/Matter #: 047040-00001

|                       |                           |  |
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| <b>RECIPIENT INFO</b> | Name: Examiner C.T. Blake | Fax #: 571-273-8300  |
|                       | Company: USPTO            | Long Distance? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes<br>Telephone #: |

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| <b>SENDER INFO</b> | From: C. Brandon Browning | Telephone #: (205) 930-5141 |
|                    | Location: Birmingham      | Fax #: (205) 930-5101       |

|                |  |
|----------------|--|
| <b>MESSAGE</b> | RE: Serial No: 10/699,421<br>Group Art Unit: 3724<br>Confirmation No: 2070 |
|----------------|--|

Number of Pages (including Cover Sheet): 32

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AUG 15 2005

|   |                                     |                             |                                |                        |                            |        |
|---|-------------------------------------|-----------------------------|--------------------------------|------------------------|----------------------------|--------|
| <b>AMENDMENT TRANSMITTAL LETTER (Small Entity)</b>  |                                     |                             |                                |                        | Docket No.<br>047040-00001 |        |
| Applicant(s): Eddie Lane Smitherman   |                                     |                             |                                |                        |                            |        |
| Application No.<br>10/699,421   | Filing Date<br>10/31/2003           | Examiner<br>C.T. Blake      | Customer No.<br>26359          | Group Art Unit<br>3724 | Confirmation No.<br>2070   |        |
| Invention:<br><b>TREE TRIMMER</b>   |                                     |                             |                                |                        |                            |        |
| <b>COMMISSIONER FOR PATENTS:</b>  |                                     |                             |                                |                        |                            |        |
| Transmitted herewith is an amendment in the above-identified application.   |                                     |                             |                                |                        |                            |        |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27   |                                     |                             |                                |                        |                            |        |
| The fee has been calculated and is transmitted as shown below.  |                                     |                             |                                |                        |                            |        |
| <b>CLAIMS AS AMENDED</b>  |                                     |                             |                                |                        |                            |        |
|   | CLAIMS REMAINING<br>AFTER AMENDMENT | HIGHEST #<br>PREV. PAID FOR | NUMBER EXTRA<br>CLAIMS PRESENT | RATE                   | ADDITIONAL<br>FEE          |        |
| TOTAL CLAIMS  | 31 -                                | 54 =                        | 0                              | x \$25.00              | \$0.00                     |        |
| INDEP. CLAIMS   | 2 -                                 | 7 =                         | 0                              | x \$100.00             | \$0.00                     |        |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/>  |                                     |                             |                                |                        |                            | \$0.00 |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT   |                                     |                             |                                |                        |                            | \$0.00 |
| <input checked="" type="checkbox"/> No additional fee is required for amendment.<br><input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____.<br><input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed.<br><input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 501346<br><input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16.<br><input type="checkbox"/> Any patent application processing fees under 37 CFR 1.17.<br><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.<br><b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b> |                                     |                             |                                |                        |                            |        |
| <br><i>C. Brandon Browning</i><br>Signature  |                                     |                             |                                |                        |                            |        |
| Dated: 8/15/2005  |                                     |                             |                                |                        |                            |        |
| I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____<br>_____<br>(Date)  |                                     |                             |                                |                        |                            |        |
| Signature of Person Mailing Correspondence  |                                     |                             |                                |                        |                            |        |
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Application of )  
Eddie Lane Smitherman ) Examiner: Carolyn T. Blake  
U.S. Serial No. 10/699,421 ) Group Art Unit: 3724  
Filed: October 31, 2003 ) Confirmation No. 2070  
For: TREE TRIMMER )

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Post Office Box 55727  
Birmingham, Alabama 35255-5727  
August 15, 2005

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT**

Madame:

In response to the Office action mailed July 25, 2005, please amend the above-identified application as follows:

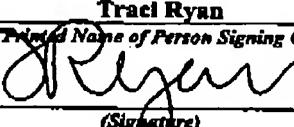
**Proposed Amendments to the Specification begin on page 2 of this paper.**

**Proposed Amendments to the Claims are reflected in the listing of claims which begins on page 6 of this paper.**

**Proposed Amendments to the Drawings are reflected in the drawings showing changes and replacement sheets attached at the end of this paper.**

**Remarks begin on page 18 of this paper.**

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|   |                           |                        |                        |              |
|---|---------------------------|------------------------|------------------------|--------------|
| <b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b>  |                           |                        |                        | Docket No.   |
| Applicant(s): Eddie Lane Smitherman   |                           |                        |                        | 047040-00001 |
| Application No.<br>10/699,421   | Filing Date<br>10/31/2003 | Examiner<br>C.T. Blake | Group Art Unit<br>3724 |              |
| Invention:<br><b>TREE TRIMMER</b>   |                           |                        |                        |              |
| <p>I hereby certify that this <u>Pat. amendment, replacement &amp; marked up drawings authorization to charge dep. act</u><br/><small>(Identify type of correspondence)</small><br/>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u>)<br/>on <u>8/15/2005</u><br/><small>(Date)</small></p> <p style="text-align: center;"><u>Traci Ryan</u><br/><small>(Typed or Printed Name of Person Signing Certificate)</small><br/><br/><small>(Signature)</small></p> |                           |                        |                        |              |
| <p>Note: Each paper must have its own certificate of mailing.</p>   |                           |                        |                        |              |